

Statement on Signing the Executive Order Amending the Manual for Courts-Martial

October 7, 1999

I have signed an Executive order amending the Manual for Courts-Martial, which sets out procedures for criminal trials in the Armed Forces. The amendments make a number of desirable changes to modernize the rules of evidence that apply to court-martial proceedings and to take into account recent court decisions. These changes have been recommended by a committee of experts representing all the military services.

There are four principal changes. First, the new rules provide that evidence that a violent crime was a hate crime may be presented to the sentencing authority as an aggravating factor in the determination of the appropriate sentence. As in the case of laws that apply in civilian courts, this rule sends a strong message that violence based on hatred will not be tolerated. In particular, the rules provide that the sentencing authority may consider whether the offense was motivated by the victim's race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation.

Second, the rules provide special procedures for cases in which there are allegations of child abuse and children are called to testify. The new rules allow for televised testimony from a location other than the courtroom and provide for other special procedures to make it as easy as possible for children who are witnesses to testify completely and accurately. These provisions are similar to those applied in most civilian courts.

Third, the order adds a new evidentiary rule to court-martial proceedings providing that most statements to a psychotherapist are privileged. The purpose of this change is to encourage candid confidential communications between patients and mental health professionals. It is similar to a privilege that is recognized by the Federal courts and courts of virtually all States. The privilege is not absolute, and the exceptions make clear that communications must still be disclosed when necessary for the safety and security of military personnel and in other compelling cases.

Finally, the new rules create the offense of reckless endangerment as an additional crime under the Uniform Code of Military Justice. This offense is similar to that found in most State codes.

Remarks on Departure for New York City and an Exchange With Reporters

October 7, 1999

Comprehensive Test Ban Treaty

The President. Good morning. All this past week a chorus of voices has been rising to urge the Senate to ratify the Comprehensive Test Ban Treaty. Yesterday our Nation's military leaders and our leading nuclear experts, including a large number of Nobel laureates, came here to say that we can maintain the integrity of our nuclear stockpile without testing, and that we would be safer with the test ban treaty. Today religious leaders from across the spectrum and across the Nation are urging America to seize the higher ground of leadership to stop the spread of nuclear weapons.

I want to thank those who are here, including Bishop John Glynn of the U.S. Catholic Bishop's Conference, Reverend Elenora Giddings Ivory of the Presbyterian Church, Reverend Jay Lintner of the National Council of Churches of Christ, Mark Pelavin of the Religious Action Center of Reformed Judaism, Bishop Theodore Schneider of the Evangelical Lutheran Church, Joe Volk of the Friends Committee, Dr. James Dunn; there are others here, as well. And I would like to say a special word of thanks to Reverend Joan Brown Campbell of the National Council of Churches, as she concludes her responsibilities, for all the support she has given to our administration over the years.

And let me express my special gratitude to Senator Jim Jeffords from Vermont and Senator Byron Dorgan of North Dakota for their presence here and for their leadership in this cause.

These Americans are telling us that the debate about this treaty ultimately comes down to a fairly straightforward question: Will we do everything in our power to reduce the likelihood that someday somewhere nuclear

weapons will fall into the hands of someone with absolutely no compunction about using them; or will we instead, send a signal to those who have nuclear weapons, or those who want them, that we won't test but that they can test now or they can test when they develop or acquire the weapons? We have a moral responsibility to future generations to answer that question correctly. And future generations won't forgive us if we fail that responsibility.

We all recognize that no treaty by itself can guarantee our security, and there is always the possibility of cheating. But this treaty, like the Chemical Weapons Convention, gives us tools to strengthen our security, a global network of sensors to detect nuclear tests by others, the right to demand inspections, the means to mobilize the whole world against potential violators. To throw away these tools will ensure more testing and more development of more sophisticated and more dangerous nuclear weapons.

This is a time to come together and do what is plainly in the best interest of our country by embracing a treaty that requires other nations to do what we have already decided to do ourselves, a treaty that will freeze the development of nuclear weapons around the world at a time when we enjoy an overwhelming advantage in military might and technology.

So I say to the Senate today, whatever political commitments you may have made, stop, listen, think about the implications of this for our children's future. You have heard from the military. I hope you will listen to them. You have heard from Nobel laureates and other experts in nuclear weapons. I hope you listen to them. You listened to our military and scientific leaders about national missile defense, listen to them about the Comprehensive Test Ban Treaty. Listen to the religious leaders who say it is the right thing to do. Listen to our allies, including nuclear powers Britain and France, who say America must continue to lead. And listen to the American people who have been for this treaty from the very beginning. And ask yourselves, do you really want to leave our children a world in which every nation has a green light to test, develop, and deploy nuclear weapons, or a world in which we have

done everything we possibly can to minimize the risks nuclear weapons pose to our children? To ratify this treaty is to answer the question right and embrace our responsibility to future generations.

Thank you.

Patients' Bill of Rights Legislation

Q. If the Patients' Bill of Rights fails today will you work with Republicans to get a more limited measure, or is it going to be your bill or no bill?

The President. Well, I believe there is a majority of support for the Norwood-Dingell bill. And the issue is not my bill or no bill. I'm not the issue here. I'm covered by the Federal plan, and I have extended by Executive order the protections of the Patients' Bill of Rights to all people covered by all Federal plans, including the Members of Congress.

The issue is whether we're going to give the American people adequate protections. The Norwood-Dingell bill does that. We've got some Republican support for it in the House. I think Congressman Norwood, who has been a loyal Republican in virtually every respect, has shown a great deal of courage here, along with the doctors in the House, who know it's the right thing to do. And we'll just hope that it works out. We've worked very hard, and they've worked very hard. And I believe we have an excellent chance to win.

Congressional Inaction

Q. Mr. President, on the treaty, on health care, on tax cuts, and even on budget matters, the Republicans up on Capitol Hill seem to be saying that they do not want to work with you; they would prefer to wait until another person is in the office. Do you get that impression?

The President. Well, on tax cuts, I vetoed their bill, and it was the right thing to do. And it's a good thing for America. They are showing us every day they can't even fund the spending that they've already voted for and that they tried to saddle America with another \$800 billion worth of spending and say that somehow they could pay for it.

I think there are some of them who want to be a lame-duck Congress. They're still drawing a paycheck up there, and it's a little larger than it was before a bill that I signed.

And I don't think they ought to make themselves into a lame-duck Congress. I think they ought to show up for work, and we ought to do the people's business. There are plenty of things we disagree on, but we have proved that we can work together under adverse circumstances.

Does this year look more like 1999 than 1996, 1997, and 1998—I mean, more like 1995? It does. It looks more like 1995. And I just don't think they ought to be a lame-duck Congress. I don't think the American people will understand it if they insist on sitting around up here for 2 years and doing nothing.

Now if the Senate doesn't want to work on saving Social Security and Medicare and educating our children, then maybe they ought to take a little time and confirm our judges and do some other things. But you know, I think there are people in the Senate and in the House, on both sides, who don't want to have a lame-duck 2 years for themselves. Senator Jeffords is here on this; Congressman Norwood and a number of other Republicans are helping on the Patients' Bill of Rights. And I think that we'll find a way to get some things done.

Labor Research Association Dinner

Q. Would you be mending fences with the Teamsters if it weren't for the campaigns of the Vice President and Mrs. Clinton?

The President. Oh, absolutely. I'm not mending fences. I would have accepted this invitation to go to this event tonight under any circumstances. I have actually enjoyed a fairly constructive relationship with the Teamsters over 6½ years. I've seen all those stories, but I've been a little amused by them. I don't understand what the fence mending—we have a difference of opinion about an issue or two, but I would—if I had been invited to this under any circumstances, I would certainly have gone.

Comprehensive Test Ban Treaty

Q. Mr. President, any progress on delaying the treaty vote?

Q. [Inaudible]—for the Vice President.

The President. I'm sorry; I can't hear. What did you say about the treaty vote?

Q. Any progress on delaying the treaty vote?

The President. I had a dinner here the other night that had Republicans and Democrats, including Republicans who were on both sides of the issue. There seems to be, among really thoughtful people who care about this, an overwhelming consensus that not enough time has been allocated to deal with the substantive issues that have to be discussed.

So we have had conversations, obviously, with the leadership and with Members in both parties, and I think there is a chance that they will reach an accord there.

Gov. George W. Bush of Texas

Q. Governor Bush seems to have taken a page from your history on triangulation in his dealings with a Republican-led Congress. Do you have any opinion on that, sir?

The President. First of all, I think the Republican right's being too hard on Governor Bush. I mean, you know, I don't understand why they're being so mean to him about this. He has stuck with them on—he was for that tax cut that they wanted. His main health care adviser sponsored that breakfast with the House leadership yesterday designed to help kill the Patients' Bill of Rights. He stuck with them and the NRA on the gun issue. You know, he's for privatizing Social Security. I don't see why they're so hard on him, but I will say this, I personally appreciated what he said.

Raising taxes on poor people is not the way to get out of this bind we're in. But I think they're being way too hard on him and unfair.

AFL-CIO Endorsement

Q. When you talk to Mr. Hoffa about the AFL-CIO endorsement will you ask him to throw his support behind the Vice President?

The President. Well I think everybody knows where I am on that. I have met already with the executive committee of the AFL-CIO. That is not the purpose of my going there. They invited me to come by, and I was happy to accept, but I have already had a meeting with the executive committee, with all the executive committee of the AFL-CIO, in which we have discussed that issue among others. Thank you very much.

Comprehensive Test Ban Treaty

Q. What part of the test ban—a followup on the test ban, sir?

The President. You want to ask a test ban treaty—

Q. Yes, just a followup. If it looks like you're not going to get the votes, is it better tactically to go down to defeat and blame it on the Republicans or to just—

The President. I'm not interested—that's not the—that's a game, and that's wrong. I'm not interested in blaming them for this. I think the Members who committed to be against the treaty before they heard the arguments and studied the issues and listened to the Joint Chiefs of Staff and the Nobel laureates made a mistake. I think that was wrong.

On the other hand, there are lots of issues, complex issues, that serious people who have questions about it have raised that deserve to be answered, worked through. And there are plenty of devices to do that if there is time to do that. All I ask here is that we do what is in the national interest. Let's just do what's right for America. I am not interested in an issue to beat them up about. That would be a serious mistake. That's not the way for the United States to behave in the world. But neither should they be interested in an issue that they can sort of take off the table with a defeat. That would do terrible damage to the role of the United States, which has been, from the time of President Eisenhower, the leader through Republican and Democratic administrations alike, Republican and Democratic Congresses alike—until this moment we have been the leader in the cause of nonproliferation.

We should not either try to get an issue that will enable us to beat up on them, neither should they have an issue that enables them to show that they can just deep six this treaty. That would be a terrible mistake. Therefore, we ought to have a regular orderly substantive process that gives all the people the necessary time to consider this on the merit and that gives the people who made early commitments—I think wrongly, but they did it—the chance to move to doing the Senate's business the way the Senate should do it.

Look at what these people are saying here today. This is huge. This is bigger than party

politics. This is bigger than personal politics. This is about America's future and the future of our children and the world. We have a chance to reduce the likelihood that more countries will obtain nuclear weapons. We have a chance to reduce the likelihood that countries that are now working on developing nuclear technologies will be able to convert them into usable weapons. We have a chance to reduce the likelihood that countries that now have weapons will be able to make more advanced, more sophisticated, and bigger weapons. We cannot walk away from that, and we cannot let it get caught up in the kind of debate that would be unworthy of the children and grandchildren of Republicans and Democrats.

Thank you.

I would like to ask Senator Jeffords—let me just give credit where credit is due. Senator Jeffords got this group together. And when I heard they were meeting, I invited them to come down here to stand with us. So he deserves the credit for this day, and Senator Dorgan has been perhaps our most vociferous advocate on the Democratic side of this treaty. So I would like to ask Senator Jeffords to say a few words and then invite Senator Dorgan to say a few words.

[At this point, Senator James M. Jeffords and Senator Byron L. Dorgan made brief remarks.]

The President. Do you want to ask either one of them any questions? Thank you very much.

NOTE: The President spoke at 11:55 a.m. on the South Lawn at the White House. In his remarks, he referred to Bishop John J. Glynn, National Conference of Catholic Bishops, Archdiocese of Military Services; Rev. Elenora Giddings Ivory, director, Washington office, Presbyterian Church (U.S.A.); Rev. Jay Lintner, director, Washington office, United Church of Christ; Mark J. Pelavin, associate director, Religious Action Center of Reformed Judaism; Bishop Theodore F. Schneider, Metropolitan Washington, DC, Synod, Evangelical Lutheran Church in America; Joe Volk, executive secretary, Friends Committee on National Legislation; James Dunn, executive director, Baptist Joint Committee on Public Affairs; and Rev. Joan Brown Campbell, general secretary, National Council of Churches. The transcript released by the Office of the Press Secretary also included

the remarks of Senator Jeffords and Senator Dorgan.

Interview With John Roberts of the Columbia Broadcasting System in New York City

October 7, 1999

Mr. Roberts. Mr. President, sir. Good to meet you; how are you?

The President. Good to see you.

Medicare Prescription Benefit

Mr. Roberts. So, you know the issue, sir. You've been trying to address it, the idea that there are 15 million senior citizens in this country who don't have Medicaid coverage for prescription drugs, Medicare coverage. What does it say about a country, sir, where many people have to go outside of the country to buy drugs that they can afford?

The President. Well, it's wrong, and it happens because we have about three-quarters of our senior citizens need prescription drugs that they simply can't afford. They don't have access to any coverage, or the coverage they have is too expensive and too limited. And in Canada and in many places, drugs made in America are cheaper than they are here because bigger units can buy discounts.

Now this proposal I made to reform Medicare is totally voluntary; no senior has to buy a prescription drug coverage if he or she doesn't want it. But if they do buy it, then a private group, not the Government, would be able to get the drugs at a lower cost because they would be buying them in bulk. And I think it's fair. It will not adversely affect the drug companies. It will increase their volume, even though the drugs, individually, will be cheaper. They will still come out way ahead. And our people will be treated more fairly, and they won't have to depend upon whether they're on the Canadian border to run across the line to buy drugs they can afford.

Import of Canadian Pharmaceuticals

Mr. Roberts. What do you think about the idea of allowing pharmacies to re-import drugs, parallel importing for senior citizens

and allow them access to the cheaper prices that they would pay in Canada?

The President. You're the first person that ever asked me that. I don't know. But I'll look into it. It's an interesting idea. I never thought about it.

Mr. Roberts. That's Congressman Sanders' idea. He has proposed to allow pharmacies to re-import drugs from Canada or Mexico. There has been some question as to whether or not that would be legal because of FDA regulations. But that's the idea that he is proposing.

The President. Well, if you could preserve their safety and quality, that there were some assurance of that, I would think it could be done. And it might work well along the Canadian border for Vermont, where Congressman Sanders lives, and for the other States along the border.

Then the further you get away from the border, the question is, will the transportation cost back more than offset the money that you would otherwise save? I don't know the answer. You're the first person that's ever asked me that. But I'll look into it.

Domestic Price for Pharmaceuticals

Mr. Roberts. Now, the drug companies have been saying that even under your plan, which would allow Medicare to buy drugs in bulk, it would decrease the revenue stream to the point where research and development would be stifled—I mean, would you look at the profits they've been making in the last few years—is that a legitimate argument?

The President. No. No, you know, they said that over and over and over again. American drug companies charge American citizens far more money for the same pharmaceuticals than they charge Europeans, Canadians, Mexicans, anyone else.

Mr. Roberts. Does that seem right?

The President. No. They say they do it because we bear the full cost of the research and development cost, and they can't put it off on any of the others because the Government controls the prices. That's what they say.

So I think if that's true, then the United States and its people have been awfully good to our drug companies. They've been willing